

EXHIBIT W

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July 22, 2020

Anne McGinness Kearsce  
Motley Rice LLC  
28 Bridgeside Blvd.  
Mount Pleasant, South Carolina 29464

Re: *City of Huntington, et. al. v. AmerisourceBergen Drug Corp., et al.*  
Civil Action No. 3:17-cv-01362  
Southern District of West Virginia

Dear Ms. Kearsce:

As you know, our firm represents University Physicians & Surgeons, Inc., ("Marshall Health") and the Marshall University Board of Governors ("Marshall University"). We also represent Drs. Stephen Petrany, Lyn O'Connell, Todd Davies, and David Chaffin, and Mr. Bob Hansen in their capacity as employees of Marshall Health and as faculty members of Marshall University, as the case may be. We have received copies of the subpoenas issued by you in the above referenced civil action, dated July 10, 2020, directed to the above named individuals. Neither Marshall Health, Marshall University, nor any of the above named individuals are parties to the above referenced civil action.

This letter is served on you as the written objection to the subpoena(s), under F.R.C.P. 45(d)(2)(B), of the person and entity purported to be commanded by the subpoena to produce documents. The individual subpoenas in this case and the cumulative nature of the subpoenas have posed an undue burden upon our clients, a burden which the parties to the above referenced case have an obligation to avoid. In addition to the requesting parties' duty to avoid undue burden on respondents to these subpoenas, the requesting party also must avoid undue expense. To that end, Marshall Health and Marshall University request that the parties make arrangements to supply financial compensation not only for the time spent in deposition, but also for any time spent and expenses incurred in preparation therefor.

If you would like to discuss this matter, please do not hesitate to contact me.

Very truly yours,

/s/ Joel P. Jones, Jr. \_\_\_\_\_

Joel P. Jones, Jr.

JPJJR/eac

cc: Steven R. Ruby  
Brent R. Gary  
Joseph Mahady  
Paul T. Farrell, Jr.